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IIW

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:)
GOLDSMITH ET AL.) For: AUTO-FILL MESSAGE FIELDS
Serial No: 10/074,140) IN A COMMUNICATION
Filed: February 11, 2002) TERMINAL
)
)
) Group Art Unit: 2686

APPELLANT'S BRIEF (37 CFR 1.192)

Mail Stop Appeal Brief- Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ATTENTION: Board of Patent Appeals and Interferences

This following appeal brief is hereby submitted following Appellant's Notice of Appeal, filed on September 2, 2004. This brief is transmitted in triplicate. (37 CFR 1.192(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner of Patents and Trademarks, Alexandria, VA, 22313-1450 on:

November 2, 2004

(Date of Deposit)

Ann Andrews

(Name of Person Signing)

(Signature)

November 2, 200

REAL PARTY IN INTEREST

The real party in interest is Qualcomm Incorporated, located at 5775 Morehouse Drive, San Diego, California 92121.

RELATED APPEALS AND INTERFERENCES

There are no other appeals or interferences that will directly affect, be directly affected by, or have a bearing on the Board's decision in this appeal.

STATUS OF THE CLAIMS

1. The total number of claims pending in the application is 15.
2. Claims 1-3, 5-8, and 10-15 stand rejected.
3. Claims 4 and 9 stand objected to.
4. Claims 1-15 are on appeal.

STATUS OF AMENDMENT

There has no amendments filed in the present case after issuance of the Examiner's final action on June 2, 2004.

SUMMARY OF THE INVENTION

The present invention is directed to a method and apparatus for automatically entering information into formatted message fields on a communication terminal. In one embodiment, the invention is directed to a communication terminal comprising a receiver for receiving a formatted message out of a number of pre-defined formatted messages (page 5, paragraph 20 through page 6, paragraph 22). The formatted message comprises a message identification code and a plurality of information fields (page 6, paragraph 23). The apparatus further comprises a memory for storing field-mapping information, the field-mapping information for indicating information to be copied from each pre-defined formatted message to a corresponding response message based

on which one of the pre-defined formatted messages was received (page 10, paragraph 37). A processor creates the response message, which comprises at least one response message information field (page 9, paragraph 34). Information from at least one of the information fields from the received formatted message is copied into at least one of the response message information fields based on the field-mapping information (page 9, paragraph 34; page 10, paragraph 37).

ISSUES

1. Whether claims 1, 5, 6, and 12-14 are anticipated by Duske, Jr. et al. (US 6,292,473) under 35 U.S.C. 102(a).
2. Whether claims 7, 8, 10, 11, and 15 are anticipated by Gitlin et al. (US 5,630,207) under 35 U.S.C. 102(b).
3. Whether claims 2 and 3 are unpatentable over Duske, Jr. et al. in view of Averbuch et al. (US 5,896,566) under 35 U.S.C. 103(a).

GROUPING OF CLAIMS

Appellants believe that the rejected claims stand or fall together.

ARGUMENTS

Rejections under 35 U.S.C. 102(a)

Claims 1, 5, 6, and 12-14 were rejected under 35 U.S.C. 102(a) as being anticipated by Duske, Jr. et al. (6,292,473). Specifically, it was alleged that Duske teaches the limitation of field-mapping information, as a "reply alias" or a "source alias" (Duske, col. 29, lines 1-26).

Applicants believe that Duske does not teach field-mapping information, as claimed. The reference to Duske, noted above, teaches a system where a destination address of a response message may be automatically chosen by software and placed in an address field of a response message. The software automatically determines the destination address to put into the response message based on either a) a default address, b) the source address of the incoming message, or c) the source alias provided

by a middleware's header information. Duske does not differentiate between different types of messages received; the software simply inserts information into response messages based on one of the three methods, above (either a, b, or c). Thus, unlike Applicants' claimed invention, there is no differentiation between the information copied into response messages vs. the type of message received.

Applicants claims *field-mapping information*, which is software that defines a relationship between incoming and response messages, i.e., defines which fields will be copied into a response message *depending on which formatted message was received and a selected response message*. Therefore, Applicants believe that Duske does not teach all of Applicants' claim limitations, and respectfully requests that the rejection be withdrawn with respect to claims 1 and 12, as well as claims 5, 6, 13, and 14, which are dependent on what Applicants believe to be allowable claims.

Claims 7, 8, 10, 11, and 15 were rejected under 35 U.S.C. 102(b) as being anticipated by Gitlin et al. (US 5,630,207). It was alleged that Gitlin et al. teaches all elements of Applicants' claims, including "receiving a formatted message, said formatted message comprising a message identification code and a plurality of information fields" and "determining a message identification code of said formatted message to which said response message corresponds".

First, Applicants do not believe that Gitlin et al. teaches the use of "formatted messages" anywhere in the reference. Gitlin et al. teaches a transmission and reply technique that sends text messages from a base station to a pager. The base station inserts "identification codes" into the text message for use by the pager operator when replying to messages. There is simply no discussion within Gitlin et al. whatsoever of the use of formatted messages. On this basis alone, the rejection should be withdrawn.

Second, Applicants do not believe that Gitlin et al. teaches that formatted messages comprise either a message identification code or a plurality of information fields. Again, Gitlin et al. teaches the use of text messages with identification codes inserted into the message itself. The message identification code taught by Gitlin et al. refers to an identification of text within the message for use by the pager operator to use in a response message. Applicants, on the other hand, refer to a message identification code as a way to differentiate different types of formatted messages from each other. This is apparent from the claim language. In addition, Gitlin et al. fails to teach that the message comprises a plurality of information fields. Gitlin et al. simply teaches the transmission of text messages, having identification codes inserted therein. There is no

discussion of the use of information fields in Gitlin et al. For both of these reasons, Applicants believe that claims 7, 8, 10, 11, and 15 are not anticipated by Gitlin et al.

Gitlin et al. does not teach “determining a message identification code of said formatted message to which said response message corresponds”. The identification code in Gitlin et al. is used to select which part of a text message a pager operator would like to convey to a base station. The chosen identification code is then inserted into a reply message for transmission to the base station. There is no teaching or suggestion in Gitlin et al. that there is a correspondence between the received message and the reply message based on a message identification code.

Finally, it should be noted that in Gitlin et al., the selected text is not included in the reply message; only the identification code is included. This is unlike Applicants' claimed invention, where message fields *themselves* are copied into reply messages.

Rejections under 35 U.S.C. 103(a)

Claims 2 and 3 were rejected under 35 U.S.C. 103(a) as being unpatentable over Duske, Jr. et al. in view of Averbuch et al. (5,896,566). It was alleged that Duske teaches all of the claim limitations, except that Duske does not teach that the field-mapping information is configurable by a remote entity or transmitted to the communication terminal from a remote location. Applicants believe that even the combination of Duske and Averbuch still does not teach field-mapping information as now claimed, based on the arguments presented above with respect to Duske.

SUMMARY

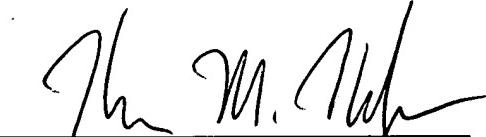
Duske, Jr. et al. does not teach the use of field-mapping information to identify information to be copied from received messages into reply messages, based on a message identification code of the received message. Gitlin et al. fails to teach the use of formatted messages, fails to teach the use of a message identification code to distinguish messages from each other, fails to teach the use of messages comprising a plurality of information fields, and fails to teach the insertion of information contained in the received message into a reply message.

CONCLUSION

For the foregoing reasons, Appellants respectfully request that all presently outstanding rejections be reversed, and that all claims under appeal be allowed.

Respectfully submitted,

By:



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APPENDIX OF CLAIMS

1. A communication terminal, comprising:
 - a receiver for receiving a formatted message out of a number of pre-defined formatted messages, comprising a message identification code and a plurality of information fields;
 - an output device for presenting said formatted message to a user of said communication terminal;
 - an input device for responding to said formatted message;
 - a memory for storing said formatted message and for storing field-mapping information, said field-mapping information for indicating information to be copied from said formatted message to a response message based on which one of said pre-defined formatted messages was received;
 - a processor for creating said response message in response to an indication from said input device of a request to respond to said formatted message, said response message comprising at least one response message information field, wherein information from at least one of said plurality of information fields of said formatted message is copied into at least one of said response message information fields based on said field-mapping information; and
 - a transmitter for transmitting said information relating to said response message.
2. The communication terminal of claim 1, wherein said field-mapping information is configurable by a remote entity.
3. The communication terminal of claim 1, wherein said field-mapping information is transmitted to said communication terminal from a remote location.

4. The communication terminal of claim 1, wherein;

said indication comprises identification information indicating which formatted message to respond to;

said field-mapping information comprises a stored message identification code and field identification information; wherein

said processor determines a message identification code corresponding to said selected formatted message, matches said determined message identification code to said stored message identification code, and inserts information from said selected formatted message into said response message as specified by said field identification information corresponding to said stored message identification code.

5. The communication terminal of claim 1, wherein said information from at least one of said plurality of information fields of said formatted message is alterable by a user of said communication terminal after it is copied into said response information field.

6. The communication terminal of claim 1, wherein said formatted message comprises two or more sub-messages, wherein said response message corresponds to a selected one of said two or more sub-messages.

7. A signal-bearing medium tangibly embodying a program of machine-readable instructions executable by a digital processing apparatus to perform operations for automatically entering information into formatted messages in a communication terminal, said operations comprising:

receiving a formatted message, said formatted message comprising a message identification code and a plurality of information fields;

presenting said formatted message to a user of said communication terminal;

receiving an indication to send a response message to said formatted message;

determining a message identification code of said formatted message to which said response message corresponds;

identifying which information fields, from said plurality of information fields, to be copied into said response message, based on said message identification code;

creating said response message using said identified information fields; and

transmitting said response message.

8. The medium of claim 7, further comprising operations of creating said response message using said identified information fields and input from said user.

9. The medium of claim 7, wherein the operation of identifying which information fields to be copied into said response message comprises operations of:

determining a message identification code corresponding to said formatted message;

matching said message identification code corresponding to said formatted message to a stored message identification code;

copying information contained within at least one of said plurality of information fields of said formatted message into said response message as identified by field-mapping information corresponding to said stored message identification code.

10. The medium of claim 7, wherein said information from at least one of said plurality of information fields of said formatted message is alterable by a user of said communication terminal after it is copied into said response information field.

11. The medium of claim 7, wherein said formatted message comprises two or more sub-messages, wherein said response message corresponds to a selected one of said two or more sub-messages.
12. A method for automatically entering information into formatted messages in a communication terminal, comprising:
 - selecting a formatted message to respond to out of a number of pre-defined formatted messages;
 - determining a message identification code of said formatted message;
 - identifying one or more information fields of said formatted message to be copied into a response message based on field-mapping information stored in a memory, said field-mapping information for indicating information to be copied from said formatted message to a response message based on which one of said pre-defined formatted messages was received; and
 - creating said response message, said response message comprising one or more response message information fields, wherein at least one of said response message information fields is filled in with information from one or more of said information fields of said formatted message based on said field-mapping information.
13. The method of claim 12, further comprising the step of:
 - presenting said response message to a user of said communication terminal; and
 - receiving information from said user in any of said response message information fields which have not been filled in.
14. The method of claim 13, wherein at least one of said response message information fields is alterable by said user.

15. The method of claim 7, wherein said formatted message comprises two or more sub-messages, wherein said response message corresponds to a selected one of said two or more sub-messages.



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)
Examiner: Marceau Milord
)
Group Art Unit: 2685

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing please find Appellant's Appeal Brief in Support of Appellant's Appeal to the Board of Patent Appeals and Interferences in triplicate. Please charge our Deposit Account No. 17 - 0026 of QUALCOMM Incorporated in the amount of \$330.00 for the filing of the Appeal Brief. In addition, please charge any additional fees whatsoever which may become properly due or payable, as set forth in 37 CFR 1.16 to 37 CFR 1.18 inclusive, or credit any

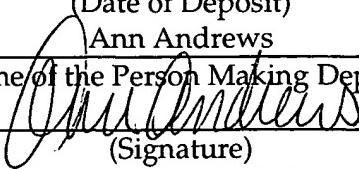
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November 2, 2004

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Ann Andrews

(Name of the Person Making Deposit)



(Signature)

November 2, 2004

(Date of Signature)

overpayment, for the entire pendency of this application without specific additional authorization.

Respectfully submitted,

Dated: November 2, 2004

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